

HOUSE JOURNAL

SEVENTY-SEVENTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

THIRTY-FOURTH DAY — MONDAY, MARCH 12, 2001

The house met at 10 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 35).

Present — Mr. Speaker; Alexander; Allen; Averitt; Bailey; Berman; Bonnen; Bosse; Brimer; Brown, B.; Brown, F.; Burnam; Callegari; Capelo; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Crownover; Danburg; Davis, J.; Davis, Y.; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Ellis; Farabee; Farrar; Flores; Gallego; Garcia; George; Geren; Giddings; Glaze; Goodman; Goolsby; Gray; Green; Grusendorf; Gutierrez; Haggerty; Hamric; Hardcastle; Hartnett; Hawley; Heflin; Hilderbran; Hill; Hinojosa; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hunter; Hupp; Isett; Janek; Jones, D.; Jones, E.; Jones, J.; Junell; Keel; Keffer; King, P.; King, T.; Kitchen; Kolkhorst; Krusee; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Martinez Fischer; Maxey; McCall; McClendon; McReynolds; Menendez; Merritt; Miller; Moreno, J.; Morrison; Mowery; Naishtat; Najera; Nixon; Noriega; Oliveira; Olivo; Pickett; Pitts; Puente; Ramsay; Rangel; Raymond; Reyna, A.; Reyna, E.; Ritter; Sadler; Salinas; Seaman; Shields; Smith; Smithee; Solis; Solomons; Swinford; Talton; Telford; Thompson; Tillery; Truitt; Turner, B.; Turner, S.; Uher; Uresti; Villarreal; Walker; West; Williams; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbraneck.

Absent, Excused — Hilbert; Wilson.

Absent — Moreno, P.

The invocation was offered by Dr. James Ballard, pastor, Lindale United Methodist Church, Lindale, as follows:

Almighty God, who created us in your own image, give us the power to discern good from evil. Grant us sincerity that we may persistently seek the things that endure, refusing those which perish. Teach us, O God, to seek state policy in the light of our faith. We who come before you today ask that you guide and bless our state senators and state representatives in the legislature of the great State of Texas. Grant them the insight to recognize the needs and the aspirations of the people of the State of Texas.

O God, you have anointed our leaders to lead us and be authentic leaders: men and women who can feel our pain and share our joys, who dream our dreams, and strive to a common goal for the good of the State of Texas.

In your spirit of fire, with your love, embolden the Texas Legislature to transform our political system, to serve all of the people and to bring real glory to your name as we pray in the name of your Son, our Savior, Jesus Christ. Amen.

LEAVES OF ABSENCE GRANTED

The following member was granted leave of absence for today and the remainder of the week because of illness:

Hilbert on motion of Haggerty.

The following member was granted leave of absence for today because of important business:

Wilson on motion of Raymond.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, House List No. 19).

CAPITOL PHYSICIAN

The speaker recognized Representative Raymond who presented Dr. Frank Wright of Laredo as the "Doctor for the Day."

The house welcomed Dr. Wright and thanked him for his participation in the Physician of the Day Program sponsored by the Texas Academy of Family Physicians.

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 1).

HR 444 - ADOPTED (by Green)

Representative Green moved to suspend all necessary rules to take up and consider at this time **HR 444**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 444, Honoring Ian McLain of Gonzales for his great courage as he continues his recovery.

HR 444 was read and was adopted without objection.

INTRODUCTION OF GUEST

The speaker recognized Representative Green, who introduced Ian McLain.

HR 481 - ADOPTED (by Ramsay)

Representative Ramsay moved to suspend all necessary rules to take up and consider at this time **HR 481**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 481, In memory of Edwin Arnold Spacek of Quitman.

HR 481 was read and was unanimously adopted by a rising vote.

INTRODUCTION OF GUESTS

The speaker recognized Representative Ramsay, who introduced the children of Edwin Arnold Spacek, Ed Spacek, Jr., and Sissy Spacek, and other family members.

(P. Moreno now present)

HR 229

HR 229, in memory of Mary Gay Burton, having been previously adopted, was read.

HR 496 - ADOPTED (by Williams)

Representative Williams moved to suspend all necessary rules to take up and consider at this time **HR 496**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 496, Expressing congratulations to Prairie View A&M University on the occasion of its 125th anniversary.

(Merritt in the chair)

HR 496 was read and was adopted without objection.

On motion of Representative G. Lewis, the names of all the members of the house were added to **HR 496** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Williams, who introduced Dr. Charles A. Hines, president of Prairie View A&M University, and Don Powell, chairman of the Board of Regents of The Texas A&M University System.

(Speaker in the chair)

HR 329 - ADOPTED (by Ellis)

Representative Ellis moved to suspend all necessary rules to take up and consider at this time **HR 329**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 329, Congratulating Kym Murry and her second-grade class at Huntsville Elementary School.

HR 329 was read and was adopted without objection.

HR 501 - ADOPTED (by S. Turner)

Representative S. Turner moved to suspend all necessary rules to take up and consider at this time **HR 501**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 501, Honoring Cub Scout Pack 808 for its outstanding contributions to the Houston community.

HR 501 was read and was adopted without objection.

On motion of Representative Yarbrough, the names of all the members of the house were added to **HR 501** as signers thereof.

INTRODUCTION OF GUESTS

The speaker recognized Representative S. Turner, who introduced Cub Scout Pack 808 and their sponsors.

HR 503 - ADOPTED (by Deshotel)

Representative Deshotel moved to suspend all necessary rules to take up and consider at this time **HR 503**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 503, Welcoming the members of Share! Student Exchange Program to Austin on March 12.

HR 503 was read and was adopted without objection.

INTRODUCTION OF GUESTS

The speaker recognized Representative Deshotel, who introduced exchange students participating in the Share! High School Exchange Program.

HR 283 - ADOPTED (by Tillery)

Representative Tillery moved to suspend all necessary rules to take up and consider at this time **HR 283**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 283, In honor of the Mesquite Independent School District's 100 years of academic excellence and success.

HR 283 was read and was adopted without objection.

HR 284 - ADOPTED (by Tillery)

Representative Tillery moved to suspend all necessary rules to take up and consider at this time **HR 284**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 284, Honoring the career and service of Dr. John D. Horn of Mesquite.

HR 284 was read and was adopted without objection.

INTRODUCTION OF GUESTS

The speaker recognized Representatives Tillery and E. Reyna, who introduced members of the Mesquite Independent School District school board.

(Edwards in the chair)

HR 497 - ADOPTED

(by Kolkhorst)

Representative Kolkhorst moved to suspend all necessary rules to take up and consider at this time **HR 497**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 497, Honoring the 100th anniversary of Minnie B. Williams Chapter No. 531 of the United Daughters of the Confederacy.

(Speaker in the chair)

HR 497 was adopted without objection.

HR 380 - ADOPTED

(by Hupp, Keel, and Uher)

Representative Hupp moved to suspend all necessary rules to take up and consider at this time **HR 380**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 380, Honoring Ysidro Torres III for receiving the first 957 Award.

HR 380 was read and was adopted without objection.

INTRODUCTION OF GUEST

The speaker recognized Representative Hupp, who introduced Ysidro Torres III.

HR 498 - ADOPTED

(by Puente)

Representative Puente moved to suspend all necessary rules to take up and consider at this time **HR 498**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 498, Honoring Gilbert Jimenez of San Antonio for his heroic actions.

HR 498 was read and was adopted without objection.

INTRODUCTION OF GUESTS

The speaker recognized Representative Puente, who introduced Gilbert Jimenez and his family.

HR 440 - ADOPTED
(by Pitts)

Representative Pitts moved to suspend all necessary rules to take up and consider at this time **HR 440**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 440, Recognizing the Honorable George "Buddy" West on receiving a 2000 Community Statesman Award from the Heritage of Odessa Foundation.

HR 440 was read and was adopted without objection.

On motion of Representative R. Lewis, the names of all the members of the house were added to **HR 440** as signers thereof.

INTRODUCTION OF GUESTS

The speaker recognized Representative J. Moreno, who introduced Boy Scout Troop 58.

REGULAR ORDER OF BUSINESS SUSPENDED

On motion of Representative Edwards and by unanimous consent, the reading and referral of bills was postponed until just prior to adjournment.

GENERAL STATE CALENDAR
HOUSE BILLS
SECOND READING

The following bills were laid before the house and read second time:

CSHB 1130 ON SECOND READING
(by Rangel)

CSHB 1130, A bill to be entitled An Act relating to the exemption of certain educational aides from the payment of tuition and fees at institutions of higher education.

Amendment No. 1

Representative Chisum offered the following amendment to **CSHB 1130**:

Amend **CSHB 1130** as follows:

- (1) On page 1, strike lines 23-24 and substitute:
[~~(5)~~] establish financial need as determined by coordinating board rules;
- (2) On page 2, line 1, strike "[~~(6)~~]" and substitute "(4) [~~(6)~~]"
- (3) On page 2, line 4, strike "(4)" and substitute "(5)".
- (4) On page 2, line 6, strike "~~(5)~~" and substitute "~~(6)~~".

Amendment No. 1 was adopted without objection.

Amendment No. 2

Representative Uher offered the following amendment to **CSHB 1130**:

Amend **CSHB 1130**, on second reading, by striking Subsections (f) and (g), Section 54.214, Education Code, as added by this bill, and substituting the following:

(f) The board of trustees of a school district shall establish a plan to encourage the hiring of educational aides who show a willingness to become certified teachers.

(g) The governing board of an institution of higher education that offers courses required for teacher certification shall establish a plan to make those courses more accessible to those who seek teacher certification.

Amendment No. 2 was adopted without objection.

CSHB 1130, as amended, was passed to engrossment. (Denny, Heflin, Howard, and Marchant recorded voting no)

SB 286 ON SECOND READING
(Goolsby - House Sponsor)

SB 286, A bill to be entitled An Act relating to the authority of a county judge to delegate to another county officer the duty to hear applications for mass gatherings.

SB 286 was considered in lieu of **HB 1111**.

SB 286 was passed to third reading. (Keel recorded voting no)

HB 1111 - LAID ON THE TABLE SUBJECT TO CALL

Representative Goolsby moved to lay **HB 1111** on the table subject to call.

The motion prevailed without objection.

CSHB 459 ON SECOND READING
(by Carter)

CSHB 459, A bill to be entitled An Act relating to higher education tuition and fee exemptions for children of dead or disabled firefighters or peace officers.

Amendment No. 1

Representative Chisum offered the following amendment to **CSHB 459**:

Amend **CSHB 459** as follows:

- (1) On page 2, line 1, strike "or" and substitute "[or]".
- (2) On page 2, line 3, strike the period and substitute "; or".
- (3) On page 2, between lines 3 and 4, insert the following:

(4) does not establish financial need as determined by coordinating board rule.

Amendment No. 1 was adopted without objection.

CSHB 459, as amended, was passed to engrossment.

HB 969 ON SECOND READING
(by Oliveira)

HB 969, A bill to be entitled An Act relating to local governments that may consider the location of a bidder's principal place of business in awarding contracts.

HB 969 was passed to engrossment.

HB 122 ON SECOND READING
(by West)

HB 122, A bill to be entitled An Act relating to authorizing a municipality to transfer real property to a nonprofit organization to use for public purposes.

Amendment No. 1

Representative Green offered the following amendment to **HB 122**:

Amend **HB 122** on page 2, between lines 6 and 7, by inserting the following:

(e) Provided, however, that if the real property to be transferred lies outside the municipality's corporate limits and outside the county where 80 percent of the municipality's residents reside, the municipality must obtain the consent of the county commissioner's court in the county where the real property is located.

Amendment No. 1 was adopted without objection.

HB 122, as amended, was passed to engrossment.

HB 360 ON SECOND READING
(by Wise, Crabb, and Olivo)

HB 360, A bill to be entitled An Act relating to the abuse of a child.

HB 360 was passed to engrossment.

BILLS AND JOINT RESOLUTIONS ON FIRST READING
AND REFERRAL TO COMMITTEES
RESOLUTIONS REFERRED TO COMMITTEES

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Resolutions were at this time laid before the house and referred to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

RULES SUSPENDED

Representative Gallego moved to suspend the 5-day posting rule to allow the Committee on Appropriations, Subcommittee on Article IX, to consider presentations regarding Article IX of the General Appropriations Act.

The motion prevailed without objection.

ADJOURNMENT

Representative Dunnam moved that the house adjourn until 10 a.m. tomorrow.

The motion prevailed without objection.

The house accordingly, at 12:09 p.m., adjourned until 10 a.m. tomorrow.

ADDENDUM

REFERRED TO COMMITTEES

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

List No. 1

HB 2726 (By Madden and Naishtat), Relating to a study of the effect of air pollution on school absenteeism.

To Environmental Regulation.

HB 2727 (By Hilderbran), Relating to removal of certain discriminatory provisions in the dedicatory instruments of residential real estate subdivisions.

To Business & Industry.

HB 2728 (By Crownover), Relating to regulation of the issuance of a security under a certain compensation plan established by the issuer of the security or a participating subsidiary of the issuer.

To Pensions & Investments.

HB 2729 (By Gray), Relating to allowing the donation of certain unused prescription drugs to charitable medical clinics.

To Public Health.

HB 2730 (By Gray), Relating to alternative dispute resolution procedures for proposals for legislation to change or clarify the permissible scope of practice of a health care profession.

To Civil Practices.

HB 2731 (By Gray), Relating to a proceeding to declare heirship.

To Judicial Affairs.

HB 2732 (By Gray), Relating to civil liability of alcoholic beverage providers for providing alcoholic beverages to certain individuals.

To Licensing & Administrative Procedures.

HB 2733 (By Thompson), Relating to court costs.

To Judicial Affairs.

HB 2734 (By Thompson), Relating to disclosure of certain information regarding the repair of motor vehicles.

To Insurance.

HB 2735 (By Thompson), Relating to the certification and licensing of court interpreters; providing penalties.

To Judicial Affairs.

HB 2736 (By Counts), Relating to the conservation, management, and use of groundwater.

To Natural Resources.

HB 2737 (By Ehrhardt), Relating to filing information about housing designed for persons with disabilities and fair housing sponsor reports by Texas Department of Housing and Community Affairs contractors, providing for filing reports through the Internet and providing penalties for failure to file.

To Urban Affairs.

HB 2738 (By B. Turner), Relating to administration of change of use of land.

To Ways & Means.

HB 2739 (By B. Turner), Relating to the repeal of the additional prorated tax levied on residential property which no longer qualifies for homestead exemption and which was owned by persons over 65 years of age.

To Ways & Means.

HB 2740 (By B. Turner), Relating to the distribution of money to certain counties for the payment of extraordinary costs of prosecution.

To Criminal Jurisprudence.

HB 2741 (By B. Turner), Relating to the platting of certain subdivisions in groundwater management areas.

To Land & Resource Management.

HB 2742 (By Dutton), Relating to suits against the state for certain claims for breach of contract.

To Civil Practices.

HB 2743 (By Carter), Relating to the maximum tax rate allowed on property in emergency service and rural fire prevention districts.

To County Affairs.

HB 2744 (By Carter), Relating to emergency services and rural fire prevention districts.

To County Affairs.

HB 2745 (By Carter), Relating to the property tax rate in overlapping emergency services and rural fire prevention districts.

To County Affairs.

HB 2746 (By Carter), Relating to emergency services and rural fire prevention districts; providing for a tax.

To County Affairs.

HB 2747 (By J. Davis and Noriega), Relating to audits of the promotion and development fund of a navigation district.

To Transportation.

HB 2748 (By J. Davis and Noriega), Relating to requiring commissioners and vendors of the Port of Houston Authority of Harris County, Texas, to disclose certain financial relationships.

To Transportation.

HB 2749 (By E. Jones), Relating to confidentiality and disclosure prohibition of certain county records.

To State Affairs.

HB 2750 (By E. Jones), Relating to the authority of a law enforcement agency to remove property from a roadway.

To Public Safety.

HB 2751 (By E. Jones), Relating to the amount of compensation and allowances for county auditors.

To County Affairs.

HB 2752 (By E. Jones), Relating to the contracting authority of, authorized uses for tax proceeds by, and eligibility for participation in tax increment financing of certain hospital districts.

To Ways & Means.

HB 2753 (By Martinez Fischer), Relating to the use of the uncorroborated testimony of an accomplice in certain actions.

To Criminal Jurisprudence.

HB 2754 (By Homer), Relating to the punishment for assault committed against certain sports officials.

To Criminal Jurisprudence.

HB 2755 (By Uher), Relating to the regulation of the practice of public accounting.

To Licensing & Administrative Procedures.

HB 2756 (By Ritter), Relating to the recording of expenditures of revenue from the county hotel occupancy tax.

To Ways & Means.

HB 2757 (By Ritter), Relating to the designation of certain land that includes a greenhouse as agricultural land for ad valorem tax appraisal purposes.

To Ways & Means.

HB 2758 (By Ritter, Deshotel, and R. Lewis), Relating to the authority of certain counties to impose a hotel occupancy tax and to the rate of the tax.

To Ways & Means.

HB 2759 (By Smith), Relating to the date by which a school district must file its annual audit report with the Texas Education Agency.

To Public Education.

HB 2760 (By B. Brown), Relating to the resolution of disputes arising under interlocal cooperation contracts.

To County Affairs.

HB 2761 (By B. Brown), Relating to the conversion of the Kaufman County Municipal Utility District No. 1 to Kaufman County Levee Improvement District No. 4, operating as a levee improvement district.

To Natural Resources.

HB 2762 (By B. Brown), Relating to infrastructure planning in certain counties.

To Land & Resource Management.

HB 2763 (By Solis), Relating to federal matching funds for certain child care services funded by a local workforce development board.

To Economic Development.

HB 2764 (By F. Brown), Relating to the composition of the First and Fourteenth courts of appeals districts.
To Judicial Affairs.

HB 2765 (By F. Brown), Relating to the sale of instructional materials to students of institutions of higher education.
To Higher Education.

HB 2766 (By Delisi), Relating to repayment of certain law school education loans.
To Higher Education.

HB 2767 (By Delisi), Relating to the notice regarding sales of cigarettes and tobacco products given by a retailer to its employees.
To Public Health.

HB 2768 (By Wise), Relating to public and private responsibility for providing sewage drainage and water supply services to colonias.
To Land & Resource Management.

HB 2769 (By Solis), Relating to the scope of child care services funded by a local workforce development board.
To Economic Development.

HB 2770 (By Flores), Relating to cooperative distance learning programs in public schools.
To Public Education.

HB 2771 (By Flores), Relating to certain surcharges imposed by the Texas Alcoholic Beverage Commission.
To Licensing & Administrative Procedures.

HB 2772 (By Chavez), Relating to requiring state agencies to use Texas Online.
To State Affairs.

HB 2773 (By Chavez), Relating to the Department of Information Resources' oversight of electronic projects.
To State Affairs.

HB 2774 (By Chavez), Relating to the creation of pilot projects for demonstrating the application of technology to the provision of long-term care, community care, and certain other medical assistance.
To Human Services.

HB 2775 (By Deshotel), Relating to an exemption for certain students from the requirements of the Texas Academic Skills Program.
To Higher Education.

HB 2776 (By Wise), Relating to the establishment of a colonia self-help program.
To Natural Resources.

HB 2777 (By Talton), Relating to the application of continuing education requirements to peace officers in certain municipalities.
To Urban Affairs.

HB 2778 (By Farabee), Relating to the membership of the interagency work group on unfunded mandates on political subdivisions.
To State Affairs.

HB 2779 (By Villarreal), Relating to eligibility requirements for representatives appointed to observe an election recount.
To Elections.

HB 2780 (By Villarreal), Relating to the effect of a recount on qualifying for an office involved in the recount.
To Elections.

HB 2781 (By Villarreal), Relating to a grant program for local workforce development boards to design and implement child-care demonstration projects.
To Economic Development.

HB 2782 (By Villarreal), Relating to allowing counties to assess an application fee for tax abatements.
To Ways & Means.

HB 2783 (By Carter), Relating to the enforcement of certain health and safety ordinances by municipalities.
To Urban Affairs.

HB 2784 (By Carter), Relating to record keeping pertaining to incidents involving persons licensed to carry a handgun.
To Public Safety.

HB 2785 (By Farabee), Relating to allowing community mental health and mental retardation authorities to participate in the small employer market for health insurance.
To Insurance.

HB 2786 (By Noriega), Relating to requiring the Texas Workforce Commission to assist the Texas National Guard in the implementation of certain youth and adult job-training and mentoring programs.
To Economic Development.

HB 2787 (By Geren), Relating to requiring students of institutions of higher education to obtain a state vehicle inspection for a vehicle for which the institution issues a parking or other permit.
To Public Safety.

HB 2788 (By Solomons, Crownover, and Denny), Relating to the transfer of certain cases from a district court of a judicial district to a newly created district court of that judicial district.
To Judicial Affairs.

HB 2789 (By E. Reyna), Relating to the possessory conservator's access to a child on the telephone.
To Juvenile Justice & Family Issues.

HB 2790 (By Williams), Relating to franchise tax incentives for corporations conducting certain research and development activities.
To Ways & Means.

HB 2791 (By Villarreal), Relating to the provision by the Texas Ethics Commission of copies of forms for personal financial statements.
To State Affairs.

HB 2792 (By Raymond), Relating to authorizing the period for early voting by personal appearance to be increased.
To Elections.

HB 2793 (By Eiland), Relating to the share of the cost of a coastal erosion response study or project required to be paid by a qualified project partner under an agreement with the commissioner of the General Land Office.
To Land & Resource Management.

HB 2794 (By Eiland), Relating to the placement of dredged material on beaches adjacent to navigation inlets and channels.
To Land & Resource Management.

HB 2795 (By Eiland), Relating to the optional fee for child safety imposed by certain counties.
To Transportation.

HB 2796 (By Goolsby), Relating to a trust fund for the purpose of maintaining and preserving the Capitol, the General Land Office Building, their contents, and their grounds.
To House Administration.

HB 2797 (By Menendez), Relating to open-flame standards for mattresses and upholstered furniture; providing a civil penalty.
To Public Health.

HB 2798 (By Menendez), Relating to certain civil consequences of using a vehicle while evading arrest or detention.
To Criminal Jurisprudence.

HB 2799 (By Hodge), Relating to certain procedures for early voting by mail.
To Elections.

HB 2800 (By Hodge), Relating to the restoration of forfeited good conduct time.
To Corrections.

HB 2801 (By E. Reyna), Relating to the mandatory termination of parental rights of a person who engaged in certain criminal conduct.
To Juvenile Justice & Family Issues.

HB 2802 (By Uresti), Relating to the penalties applicable for the violation of laws concerning the processing and sale of meat and poultry products.
To Public Health.

HB 2803 (By Uresti), Relating to refund or retention by a landlord of a security deposit under a commercial lease.
To Business & Industry.

HB 2804 (By Kolkhorst), Relating to certain instruments recorded to create liens on property or to show satisfaction of a judgment.
To Business & Industry.

HB 2805 (By Kolkhorst), Relating to transferring sick leave between immediate family members who are state employees.

To State Affairs.

HB 2806 (By Kitchen), Relating to disconnection of natural gas service.

To Energy Resources.

HB 2807 (By Kitchen), Relating to a demonstration project to extend Medicaid coverage to certain low-income individuals.

To Public Health.

HB 2808 (By Chavez), Relating to the creation and powers of a North American Free Trade Agreement impact zone.

To Economic Development.

HB 2809 (By Wolens), Relating to statutory revision and statutory construction.

To State Affairs.

HB 2810 (By Wolens), Relating to the application of statutes that classify political subdivisions according to population.

To State Affairs.

HB 2811 (By Wolens), Relating to a nonsubstantive revision of statutes relating to the Texas Department of Insurance, the business of insurance, and certain related businesses, including conforming amendments, repeals, and penalties.

To State Affairs.

HB 2812 (By Wolens), Relating to nonsubstantive additions to and corrections in enacted codes, to the nonsubstantive codification or disposition of various laws omitted from enacted codes, and to conforming codifications enacted by the 76th Legislature to other Acts of that legislature.

To State Affairs.

HB 2813 (By Wolens), Relating to the adoption of a nonsubstantive revision of statutes relating to the licensing and regulation of certain professions and business practices, including conforming amendments, repeals, and penalties.

To State Affairs.

HB 2814 (By Hartnett), Relating to the operation of statutory probate courts.

To Judicial Affairs.

HB 2815 (By Hartnett, et al.), Relating to a phased-in and limited exemption for certain purchases of machinery and equipment used for research and development from sales and use taxes.

To Ways & Means.

HB 2816 (By F. Brown), Relating to the creation of nonprofit corporations to refund outstanding student loan bonds.

To Higher Education.

HB 2817 (By R. Lewis), Relating to certain laws governing water districts and nonprofit water or sewer service corporations; creating a criminal offense.

To Natural Resources.

HB 2818 (By Counts), Relating to the maximum inmate population of facilities operated by municipalities.

To County Affairs.

HB 2819 (By Swinford), Relating to a prohibition on the sale of gasoline containing methyl tertiary butyl ether and a requirement for the substitution of gasoline containing ethanol for use in certain nonattainment areas.

To Environmental Regulation.

HB 2820 (By Swinford), Relating to a prohibition on the sale of gasoline containing methyl tertiary butyl ether and a requirement for the substitution of gasoline containing ethyl tertiary butyl ether or ethanol for use in certain nonattainment areas.

To Environmental Regulation.

HB 2821 (By Swinford), Relating to eligibility for certain franchise tax credits.

To Ways & Means.

HB 2822 (By Isett), Relating to the requirement that the attorney general adopt a plan to permit local administration of crime victims' compensation.

To Criminal Jurisprudence.

HB 2823 (By Isett), Relating to a pilot program to administer a local crime victims' compensation program.

To Criminal Jurisprudence.

HB 2824 (By Smithee), Relating to the eligibility of public schools and libraries for certain funds.

To Economic Development.

HB 2825 (By Smithee), Relating to continuation of an accreditation program for child-care facilities and child-placing agencies as an alternative to state licensure; providing a penalty.

To Human Services.

HB 2826 (By Smithee), Relating to the adoption of a uniform explanation of payment form by the Texas Department of Insurance.

To Insurance.

HB 2827 (By Smithee), Relating to consumer disclosures required to be made by health maintenance organizations and insurers who provide preferred provider plans.

To Insurance.

HB 2828 (By Smithee), Relating to delegation of certain functions by a health maintenance organization; providing penalties.

To Insurance.

HB 2829 (By Smithee), Relating to loss control requirements for certain lines of insurance.

To Insurance.

HB 2830 (By Smithee), Relating to unauthorized insurance.
To Insurance.

HB 2831 (By Smithee), Relating to notification to certain health care providers of the standards used by a managed care entity to determine the amount of reimbursement for an out-of-network provider.
To Insurance.

HB 2832 (By Smithee), Relating to requiring tax collectors to notify taxpayers of certain overpayments of ad valorem taxes.
To Ways & Means.

HB 2833 (By Grusendorf), Relating to the application of the sales tax to services provided in connection with certain foreclosure sales.
To Ways & Means.

HB 2834 (By Grusendorf), Relating to foreclosure of certain liens on real property.
To Financial Institutions.

HB 2835 (By Yarbrough), Relating to state career and technology education boards.
To Public Education.

HB 2836 (By Dukes), Relating to indemnification in construction contracts.
To Civil Practices.

HB 2837 (By Dukes), Relating to the licensing and regulation of the practice of kinesiotherapy; providing penalties.
To Public Health.

HB 2838 (By Dukes), Relating to the treatment of child support payments.
To Juvenile Justice & Family Issues.

HB 2839 (By Dukes), Relating to energy efficiency programs developed by the energy office.
To Energy Resources.

HB 2840 (By Telford), Relating to a partnership between Texas A&M University—Texarkana and Texarkana College District.
To Higher Education.

HB 2841 (By Wolens), Relating to the Texas emissions reduction plan; providing a penalty.
To Environmental Regulation.

HB 2842 (By Coleman), Relating to reinvestment zones and tax increment financing under the Tax Increment Financing Act.
To Ways & Means.

HB 2843 (By Nixon), Relating to an award of litigation costs in certain judgments following an offer of settlement.
To Civil Practices.

HB 2844 (By G. Lewis), Relating to authorizing the Texas Department of Health to exempt certain projects from rules relating to asbestos abatement.
To Public Health.

HB 2845 (By Danburg), Relating to the creation of the Texas Fuel Cell Commercialization Initiative and the redirection of certain federal Oil Overcharge Restitution Funds.
To Energy Resources.

HB 2846 (By Craddick), Relating to the application of state securities law to certain investment advisers.
To Pensions & Investments.

HB 2847 (By Averitt), Relating to the authority of the Brazos River Authority to discover, develop, produce and use groundwater in the Brazos River Basin and environs.
To Natural Resources.

HB 2848 (By Brimer), Relating to employee organization consultation policies adopted by the boards of trustees of school districts.
To Public Education.

HB 2849 (By Brimer), Relating to the registration of roofing contractors; providing penalties.
To Licensing & Administrative Procedures.

HB 2850 (By Brimer), Relating to retainage payments under certain construction contracts.
To Business & Industry.

HB 2851 (By Hupp), Relating to credit in the Texas County and District Retirement System for military service.
To Pensions & Investments.

HB 2852 (By Junell), Relating to directing payment, after approval, of certain miscellaneous claims and judgments against the state out of funds designated by this Act; making appropriations.
To Appropriations.

HB 2853 (By Bosse), Relating to studies performed by, and information gathered and analyzed by, the legislative council.
To State Affairs.

HB 2854 (By Garcia), Relating to the use of statistically corrected 2000 federal census data for state and local redistricting.
To Redistricting.

HB 2855 (By Kuempel), Relating to the ratification of the creation of and to the administration, powers, duties, operation, taxing authority, and financing of the Southeast Trinity Groundwater Conservation District.
To Natural Resources.

HB 2856 (By Martinez Fischer), Relating to certain criminal offenses involving bail bond activity; increasing a penalty.
To Criminal Jurisprudence.

HB 2857 (By Seaman), Relating to the delegation of dune protection permitting authority to municipalities.

To Land & Resource Management.

HB 2858 (By Junell), Relating to limitations on payments for settlement of judgments made by state agencies from appropriated money.

To Appropriations.

HB 2859 (By Junell), Relating to authorizing the Texas Board of Criminal Justice to grant a conservation easement covering certain state property.

To Land & Resource Management.

HB 2860 (By Morrison), Relating to youth-related volunteer activity leave for state agency employees.

To State Affairs.

HB 2861 (By Sadler), Relating to the powers and duties of the boards of trustees and superintendents of independent school districts.

To Public Education.

HB 2862 (By Sadler), Relating to the election of members of the boards of trustees of independent school districts.

To Public Education.

HB 2863 (By Farabee), Relating to county competitive purchases.

To County Affairs.

HB 2864 (By Sadler), Relating to the small and mid-sized district adjustment under the public school finance system.

To Public Education.

HB 2865 (By Sadler), Relating to the summoning of potential grand jurors.

To Criminal Jurisprudence.

HB 2866 (By Sadler), Relating to exempting boats and motors purchased exclusively for rental from the sales and use tax on boats and motors.

To Ways & Means.

HB 2867 (By Sadler), Relating to certain offenses occurring on school property or at a school-sponsored or school-related activity as conduct indicating a need for supervision in certain counties.

To Juvenile Justice & Family Issues.

HB 2868 (By Ramsay), Relating to grants for certain counties to provide certain essential services.

To County Affairs.

HB 2869 (By Ramsay), Relating to the creation of the Texas County Financial Data Advisory Committee.

To County Affairs.

HB 2870 (By Ramsay), Relating to the authority of a commissioners court of a county to develop and administer an economic development program for making loans or grants of public money.

To County Affairs.

HB 2871 (By Ramsay), Relating to rate rollback for certain lines of insurance.

To Insurance.

HB 2872 (By Uher), Relating to the emergency cleanup of oil and gas wastes or other substances or materials by the Railroad Commission of Texas.

To Energy Resources.

HB 2873 (By Uher), Relating to fees charged by district and county clerks for copies of records.

To County Affairs.

HB 2874 (By Uher), Relating to the withdrawal of time by a county employee from the county sick leave pool.

To County Affairs.

HB 2875 (By Uher), Relating to the authority of Matagorda County Hospital District to lease property and enter into a loan agreement.

To County Affairs.

HB 2876 (By Grusendorf), Relating to delinquency charges in connection with certain loans.

To Financial Institutions.

HB 2877 (By Goolsby), Relating to the operations, powers, and duties of the State Preservation Board.

To House Administration.

HB 2878 (By Goolsby), Relating to requirements for a private club registration permit under the Alcoholic Beverage Code.

To Licensing & Administrative Procedures.

HB 2879 (By Sadler), Relating to school finance.

To Public Education.

HB 2880 (By Sadler), Relating to programs for students of limited English proficiency.

To Public Education.

HB 2881 (By Keel), Relating to continuing education programs for peace officers and county jailers.

To Public Safety.

HB 2882 (By Naishtat), Relating to the jurisdiction of the Probate Court No. 1 of Travis County.

To Judicial Affairs.

HB 2883 (By Hodge), Relating to grievance procedures for certain municipal police officers.

To Urban Affairs.

HB 2884 (By Gallego), Relating to cross-filing with more than one political party by candidates for certain judicial offices.

To Judicial Affairs.

HB 2885 (By Gallego), Relating to mandatory venue for actions brought against certain public institutions of higher education or against certain officers or employees of those institutions.

To Civil Practices.

HB 2886 (By Gallego), Relating to the assignment of certain retired or former judges as visiting judges.

To Judicial Affairs.

HB 2887 (By Gallego), Relating to the power of the attorney general to represent the state before the United States Supreme Court.

To Judicial Affairs.

HB 2888 (By Truitt), Relating to certain limitations on the issuance of bonds by school districts.

To Public Education.

HB 2889 (By Dunnam), Relating to certain attorneys and law clerks employed by a court.

To Judicial Affairs.

HB 2890 (By McClendon), Relating to the creation of an offense prohibiting certain persons in custody from contacting their victims.

To Criminal Jurisprudence.

HB 2891 (By Burnam), Relating to legislative review of the use of credit histories as an underwriting guideline.

To House Administration.

HB 2892 (By Burnam), Relating to examination by the Texas Department of Insurance of the use of credit histories in certain underwriting guidelines.

To Insurance.

HB 2893 (By Burnam), Relating to certain unfair practices by motor vehicle insurers; providing penalties.

To Insurance.

HB 2894 (By Burnam), Relating to access to motor vehicle insurance coverage and to the verification of compliance with certain motor vehicle insurance requirements; providing penalties.

To Insurance.

HB 2895 (By Burnam), Relating to the creation, powers, and duties of the property insurance claims review advisory committee of the Texas Department of Insurance.

To Insurance.

HB 2896 (By Burnam), Relating to public school teachers.

To Public Education.

HB 2897 (By Burnam), Relating to mentoring and induction programs for certain public school teachers.

To Public Education.

HB 2898 (By Burnam), Relating to loan repayment assistance for certain social workers who work for the Department of Protective and Regulatory Services.

To Higher Education.

HB 2899 (By Burnam), Relating to sale of wine, beer, and malt liquor by certain retailers.

To Licensing & Administrative Procedures.

HB 2900 (By Burnam), Relating to the franchise tax.

To Ways & Means.

HB 2901 (By Burnam), Relating to the imposition of a tax on the purchase of coal in this state; providing penalties.

To Ways & Means.

HB 2902 (By Burnam), Relating to the certification and monitoring of a housing program applicant's compliance with certain state and federal laws.

To Urban Affairs.

HB 2903 (By Burnam), Relating to compensation for the training of and for services rendered at a polling place by certain election officers.

To Elections.

HB 2904 (By Burnam), Relating to the location of the site of the facility for disposal of low-level radioactive waste and activities conducted at the site.

To Environmental Regulation.

HB 2905 (By Burnam), Relating to the regulation and management of low-level radioactive waste.

To Environmental Regulation.

HB 2906 (By Eiland), Relating to the imposition of an additional fee on nursing and convalescent homes for the purpose of allowing the state to increase reimbursement rates to the homes under the state Medicaid program and to qualify for more federal Medicaid funds.

To Human Services.

HB 2907 (By Burnam), Relating to the review by the Parks and Wildlife Department of state land proposed to be sold.

To Land & Resource Management.

HB 2908 (By Hawley), Relating to transferring the Texas Strategic Military Planning Commission to the office of the governor.

To State, Federal & International Relations.

HB 2909 (By Hawley), Relating to information included on the Internet website of the Texas Department of Transportation.

To Transportation.

HB 2910 (By A. Reyna), Relating to using prekindergarten grants to educate students who qualify for a school district's Title I program.

To Public Education.

HB 2911 (By A. Reyna), Relating to refund or retention by a landlord of a security deposit under a commercial lease.

To Business & Industry.

HB 2912 (By Bosse, Chisum, and Counts), Relating to the continuation and functions of the Texas Natural Resource Conservation Commission.

To Environmental Regulation.

HB 2913 (By Bonnen), Relating to the compensation of commissioners and the tax rate of the Brazoria County Conservation and Reclamation District Number Three.

To Natural Resources.

HB 2914 (By Bonnen), Relating to state fiscal matters, including electronic records and signatures used or accepted by the comptroller, rulemaking about the rollback tax rate limit, the intellectual property of the comptroller, the collection of delinquent taxes and debts to the state, state property accounting, advisory committees, determining the fiscal year to charge for certain state expenditures, financial reporting by state agencies, administration of the energy management center, longevity pay, hazardous duty pay, temporary reassignments of state employees, automatic payment of interest to vendors, the applicability and collection of 9-1-1 fees and surcharges, the payment of credit interest on local revenue funds, the deadline for governmental entities to claim refund of the state hotel occupancy tax, and reports about the franchise tax credit for after school care.

To Ways & Means.

HB 2915 (By Madden), Relating to the ad valorem tax exemptions for the spouses and children of certain members of the armed forces.

To Ways & Means.

HB 2916 (By Eiland), Relating to the regulation of pull-tab or instant bingo.

To Licensing & Administrative Procedures.

HB 2917 (By Garcia), Relating to the jurisdiction of a municipal court located in certain populous home-rule municipalities for certain violations or offenses committed within the boundaries of an airport.

To Judicial Affairs.

HB 2918 (By S. Turner), Relating to the advertising of competitive bids of certain local governments.

To County Affairs.

HB 2919 (By R. Lewis), Relating to the use of certain commercial fishing gear in the Sabine River between Texas and Louisiana.

To State Recreational Resources.

HB 2920 (By E. Jones), Relating to county regulation of sexually oriented businesses located within the corporate boundaries of a municipality.

To Land & Resource Management.

HB 2921 (By J. Jones), Relating to requiring verification of information regarding potentially ineligible voters produced for a county by a private business entity.

To Elections.

HB 2922 (By J. Jones), Relating to requiring the secretary of state to establish a toll-free telephone number for reporting abuses of voting rights.

To Elections.

HB 2923 (By J. Jones), Relating to the implementation of new voting system technology in certain elections.

To Elections.

HB 2924 (By J. Jones), Relating to the preparation of electronic voting system ballots for automatic counting.

To Elections.

HB 2925 (By J. Jones), Relating to the use of a receipt issued by a deputy registrar to a person on completing an application for voter registration.

To Elections.

HB 2926 (By J. Jones), Relating to the period that an ignition interlock device must remain installed on the vehicle of a person placed on community supervision for certain intoxication offenses.

To Criminal Jurisprudence.

HB 2927 (By J. Jones), Relating to temperature regulation of certain facilities that serve older persons.

To Human Services.

HB 2928 (By J. Jones), Relating to an interim committee to study debit card fraud on certain individuals.

To Business & Industry.

HB 2929 (By Marchant), Relating to a restitution lien for the state to secure fines or costs in a misdemeanor case.

To Criminal Jurisprudence.

HB 2930 (By Marchant), Relating to use of electronic documents in connection with vehicle titles.

To Transportation.

HB 2931 (By Marchant), Relating to express and implied warranties of a contractor for residential construction.

To Business & Industry.

HB 2932 (By G. Lewis), Relating to a discount on the premium surcharge for a motor vehicle equipped with a breath alcohol detection device.

To Insurance.

HB 2933 (By Chavez), Relating to the regulation of circuses, carnivals, and zoos.

To County Affairs.

HB 2934 (By Thompson), Relating to a loan secured by a motor vehicle certificate of title.

To Financial Institutions.

HB 2935 (By Thompson), Relating to the appointment of justices of the supreme court and judges of the court of criminal appeals.

To Judicial Affairs.

HB 2936 (By Ehrhardt), Relating to the protection and use of intellectual property by an appraisal district.

To Ways & Means.

HB 2937 (By Kitchen), Relating to the setting of certain county fees for a license, permit, or registration.

To County Affairs.

HB 2938 (By J. Davis), Relating to enforcement of motor vehicle financial responsibility requirements.

To Insurance.

HB 2939 (By Capelo), Relating to a prohibition on the issuance of an inspection certificate.

To Public Safety.

HB 2940 (By Capelo), Relating to the authority of certain advanced practice nurses and physician assistants to prescribe drugs.

To Public Health.

HB 2941 (By Capelo), Relating to the creation of technological development zones in certain populous counties; providing for the power of eminent domain and the issuance of bonds.

To Ways & Means.

HB 2942 (By Capelo), Relating to the practice of medicine without an annual registration receipt.

To Public Health.

HB 2943 (By Capelo), Relating to the General Services Commission's facilities leasing program.

To State Affairs.

HR 486 (By Dutton), Congratulating Twila Rose of Houston on her receipt of an Outstanding Texan Award from the Texas Legislative Black Caucus.

To Rules & Resolutions.

HR 487 (By Dutton), Congratulating Timothy Andre Stingley of Houston on receiving an Outstanding Texan Award from the Texas Legislative Black Caucus.

To Rules & Resolutions.

HR 488 (By Dutton), Honoring Calvin Owens of Houston on his receipt of an Outstanding Texan Award for his achievements in the field of entertainment from the Texas Legislative Black Caucus.

To Rules & Resolutions.

HR 489 (By Dutton), Honoring Officer Howard L. Martin of the Houston Police Department on his receipt of an Outstanding Texan Award from the Texas Legislative Black Caucus for his achievements in field of public safety.

To Rules & Resolutions.

HR 490 (By Dutton), Honoring the Reverend Fred C. Hoxie, Jr., of Houston on his receipt of an Outstanding Texan Award from the Legislative Black Caucus.

To Rules & Resolutions.

HR 491 (By Dutton), Congratulating Anna Washington Curtis of Houston on receiving an Outstanding Texan Award from the Texas Legislative Black Caucus.

To Rules & Resolutions.

HR 492 (By Dutton), Honoring Louis J. Bailey of Houston on her receipt of an Outstanding Texan Award from the Texas Legislative Black Caucus for her achievements in the field of education.

To Rules & Resolutions.

HR 493 (By Dutton), Honoring Edward C. Loche of Houston for being selected as an Outstanding Texan by the Texas Legislative Black Caucus.

To Rules & Resolutions.

HR 494 (By Haggerty), Recognizing March 27, 2001, as REALTOR Appreciation Day at the State Capitol.

To Rules & Resolutions.

HR 499 (By Ellis), Honoring Wendell Baker, Sr., for his outstanding contributions to Huntsville and the State of Texas.

To Rules & Resolutions.

HR 500 (By Maxey and Kitchen), Honoring Venola Schmidt on receiving the 2001 Public Citizen Award from the Austin Area Chapter of the National Association of Social Workers.

To Rules & Resolutions.

SB 48 to Human Services.

SB 53 to Human Services.

SB 181 to Judicial Affairs.

SB 206 to Public Education.

SB 207 to Public Education.

SB 217 to Transportation.

SB 261 to Public Health.

SB 263 to Higher Education.

SB 270 to Natural Resources.

SB 276 to Judicial Affairs.

SB 289 to Natural Resources.

SB 331 to Agriculture & Livestock.

SB 417 to Urban Affairs.

SB 467 to Public Education.

SB 472 to State, Federal & International Relations.

SB 515 to Criminal Jurisprudence.

SB 519 to Appropriations.

SB 523 to Pensions & Investments.

SB 553 to Criminal Jurisprudence.

SB 573 to Higher Education.

SB 585 to Financial Institutions.

SB 620 to Business & Industry.

SB 634 to County Affairs.

SB 640 to Ways & Means.

SB 645 to State Affairs.

SB 664 to Human Services.

SB 708 to Pensions & Investments.

SB 714 to Licensing & Administrative Procedures.

SB 717 to Agriculture & Livestock.

SCR 29 to Public Health.

SCR 30 to Rules & Resolutions.

SCR 31 to Rules & Resolutions.

SIGNED BY THE SPEAKER

The following bills and resolutions were today signed in the presence of the house by the speaker:

House List No. 19

HCR 42

MESSAGES FROM THE SENATE

The following messages from the senate were today received by the house:

Message No. 1

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Monday, March 12, 2001

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

I am directed by the Senate to inform the House that the Senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HCR 191 Coleman SPONSOR: Ogden
In honor of the contributions of the Boys and Girls Clubs of Texas.

SB 243 Harris
Relating to financing capital improvements and facility expansions through the assessment of impact fees; providing a civil penalty.

SB 415 Carona
Relating to operation of the Texas Medical Liability Insurance Underwriting Association and to participation of nursing homes in that association.

SB 665 Moncrief
Relating to the creation of an office within the Health and Human Services Commission for coordinating the delivery of early childhood services.

SB 832 Moncrief
Relating to requiring reports from the Health and Human Services Commission about the state Medicaid program.

SB 848 Ellis, Rodney
Relating to crediting interest to a suspense account of the comptroller and transferring accumulated interest from the account.

Respectfully,

Betty King
Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

March 8

Corrections - **HB 123, HB 261, HB 1582, HB 1583, HB 1584, HB 1585, HCR 5, SB 347**

Elections - **HB 1286**

Energy Resources - **HB 1426**

Higher Education - **SB 149**

Juvenile Justice & Family Issues - **HB 1498, HB 1634**

Land & Resource Management - **HB 924, HB 958**

Urban Affairs - **HB 858, HB 1265, HB 1683, HB 1737**

March 9

County Affairs - **HB 495, HB 1586, HB 1588, HB 1735, HB 1788, HB 1981, HB 2002**

Criminal Jurisprudence - **HB 319, HB 345**

Financial Institutions - **HB 198, HB 1067, HB 1166**

Higher Education - **HB 1467, HB 1645, HB 1754, HB 1755, HB 1941**

Human Services - **HB 1161, HB 1782, SB 36, SB 38, SB 83**

Public Safety - **HB 118**

Urban Affairs - **HB 1605, HB 1621**

ENGROSSED

March 8 - HB 102, HB 453, HB 630, HB 1127, HB 1362

ENROLLED

March 9 - HCR 42

SENT TO THE GOVERNOR

March 8 - HCR 143, HCR 183

